

DRAFT PROPOSED CHANGES - FOR EXAMINER ONLY

Application No. 09/936,608

Claim 1 (currently amended): An adhesive dispensing arrangement, comprising: a patch for covering an area to be treated, and provided with an adhesive surface for allowing the patch to stick to the area, a peelable backing covering the adhesive surface, an applicator and a discrete dispensing container located fully between the adhesive surface and substantially fully enveloped by the patch and the peelable backing, and the dispensing container accommodating a substance to be dispensed over the area to be treated, the substance to be dispensed being housed apart from the applicator and being situated fully between the backing and the patch, an applicator arranged between the patch and the dispensing container and a release agent cooperating with the peelable backing and the dispensing container in such a manner that when the backing is peeled from the adhesive surface the release agent enables the dispensing, the dispensing container being positioned to cooperate with the release agent and the release agent being arranged to cause the container to open or rupture on removal of the backing such that the substance is released to release the substance from the opened or ruptured dispensing container onto the applicator, and the applicator being arranged to apply an effective amount which facilitates application of the substance to the area to be treated when the patch is stuck to that the area, the dispensing container being of a type selected from (a) a sachet, (b) a rupturable container, or (c) a premanufactured container.

It is believed that this claim is patentable over the prior art of record. Per our telephone conversation of May 2, 2003, you indicated that you would consider a claim covering the

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embodiment of FIG. 1 to be patentable, but a claim directed to cover FIG. 5 would require a further search. Claim 1 as presented for your review, specifies that "the substance to be dispensed being housed apart from the applicator" and "a release agent cooperating with the peelable backing and the dispensing container in such a manner that when the backing is peeled from the adhesive surface the release agent enables the dispensing container to open or rupture to release the substance from the opened or ruptured dispensing container onto the applicator". Thus, the claim covers the embodiment of FIG. 1 and not the embodiment of FIG. 5, and applicants believe that claim 1 as presented here in an amended form is patentable.

We also discussed with you during our telephone conversation of May 2, 2003, how the Yamaguchi reference completely lacks a dispensing container. Instead, the substance to be applied merely rests in an area between the patch and the peelable backing, without being enclosed in an additional dispensing container.

Further, the phrase "a dispensing container substantially fully enveloped by the patch and the peelable backing" and "the substance to be dispensed . . . being situated fully between the backing and the patch" is distinguished from the Sabatano reference. The Sabatano reference teaches only a marginal portion of the "envelop 14" situated between tape 11 and cover 22, as seen in FIGs. 1, 2 and 6. Consequently, the substance to be applied that is contained within "envelop 14" of the Sabatano reference is not situated fully between the tape 11 and cover 22. Thus, the dispensing container, as claimed, does not read on the Sabatano reference.

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